

SB2983



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2983

Introduced 2/3/2010, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

50 ILCS 725/3.8

from Ch. 85, par. 2561

Amends the Uniform Peace Officers' Disciplinary Act. Requires that any sworn complaint against a peace officer that contains false information shall be presented to the appropriate State's Attorney for a determination of prosecution. Effective immediately.

LRB096 19854 RLJ 35309 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Uniform Peace Officers' Disciplinary Act is
5 amended by changing Section 3.8 as follows:

6 (50 ILCS 725/3.8) (from Ch. 85, par. 2561)

7 Sec. 3.8. Admissions; counsel; verified complaint.

8 (a) No officer shall be interrogated without first being
9 advised in writing that admissions made in the course of the
10 interrogation may be used as evidence of misconduct or as the
11 basis for charges seeking suspension, removal, or discharge;
12 and without first being advised in writing that he or she has
13 the right to counsel of his or her choosing who may be present
14 to advise him or her at any stage of any interrogation.

15 (b) Anyone filing a complaint against a sworn peace officer
16 must have the complaint supported by a sworn affidavit. Any
17 complaint, having been supported by a sworn affidavit, and
18 having been found, in total or in part, to contain false
19 information, shall be presented to the appropriate State's
20 Attorney for a determination of prosecution.

21 (Source: P.A. 93-592, eff. 1-1-04.)

22 Section 99. Effective date. This Act takes effect upon

1 becoming law.